CARNIVAL IS NOW DECIDED UPON Col. R. G. Ebert, Ranking Army Physician, Elected As the Will Turn Out Sunday Next

Ad Club Will Open the Ball and Start the Week Off With a to Fill Up a Busy Six Days the Capitol grounds. Those

JAPANESE LANTERN PARADE AND 'A NIGHT IN JAPAN'

Military Parade of Horse, Foot and Guns, With Other Special Military Events and a Swimming Match For Service Men

rectors. No doubt it will be changed in many details before the opening, either as necessity may indicate or sec-

The plan adopted has been first to determine as nearly as possible the preferences of the public. The directers did not wish to give the kind of a earnival they thought the community ought to like, but, as nearly as they could learn, the kind of a carnival the community really wanted.

Suggestions were invited by letter, by individual expression of opinion, and from those public bodies which have assisted in other carnivals. The result of this canvass was two outstanding recommendations: The carnival ought to be shorter and it ought to make more use of local color.

Selected Best Events

With this aim in view, the board proceeded to select the events best ceived. There was plenty of material to choose from. In fact, it has by no means been possible to employ all the ideas offered. It was then in order to pick the men who could make the events chosen a success and, lastly, to fit them into a well balanced program. Such a program, to quote one of those who gave valuable advice, must open with a "zip and a bang." It must be flexible enough to make allowance for bad weather. It must be solid enough to austain interest and yet not so closely-pasked as-to distract attention. And it must not fizzle vaguely out into the limbo of forgotten things

The working daft follows. Chairman have been cho en for all but one or two of the principal events, but not a'l of these have given their definite acceptance, though none has refused outright to serve. Inasmuch as this be strongly accented. executive staff is bound to shift before s welded into ganization, the board declined yesterday to give out the personnel. It prefers to announce the names one by one, President Hagens said, as it assures it-

self of pledged acceptances. Ad Club to Begin It

Opening Night, Monday, February 21.—The Ad Club has been asked to lend its effective organization and varied experience to the important task of putting fire and life into the first event, which will be something in the nature of an animated masque. The object is to get out as many persons in costume as possible. Once the crowd has been assembled and set stirring, given something to do and to see, it will follow easily into the palace grounds, where there will be an openair ball of all nations, followed by a masked ball in the armory.

Tuesday, Feb. 22, First Day-The fact that the first day of the carnival falls this venr on Washington's hirthday largely predetermines the character of the card for that day. In the morning, of course, will be the annual military parade, this year higger than Probably it will begin at nine o'clock or nine thirty Later in the day it gets pretty bot for marching and enjoy the remainder of the holiday. As patriotic exercises, consisting of patriof prizes for the best essays on patri day morning.

Sports on the Track otic subjects.

Big Swimming Meet

The whole afternoon has been given over to the swimmig meet. Custom practically demands that this event, which always draws a big crowd, should fall on a holiday. With nego-tiations already afoot for the presence of Raithel, Langers and Miss Frances Cowells, the Pacific Coast woman champion, the card this year ought to be the best ever presented in Honolulu. A relay race open to the Army, Navy Marine Corps and National Guard is bound to be another strong attraction.

In the evening will be held the lantern parade, perhaps the most picturesque event in the whole Carnival. This year it will be supplemented by "A Night in Japan," with allegorical dancing such as was given at the recent coronation festival, sword play and and small stick work, wrestling and such other suggestions as the Japanese, with their talent for the pictorial and the decorative, may think wise to offer. A public holiday was chosen for these events because it will permit a larger number of Japanese to take part in them and see them than any other day in the week, Saturday not excepted. Flowers, Auto And Music

PROGRAM OF THE SERVICE MEDICOS PERFECT SOCIETY

First President

The United Service Medical Society came into existence yesterday after-noon at a meeting of thirty-one physi-Bang-Events Include Plenty cians and surgeons in the bungalow in the Capitol grounds. Those present were army, navy and public health offieers and the organization's membership will be confined to doctors in these

branches of the public service, Its activities, as explained by one member afterward, will be similarly confined, only affairs medical in the public service being considered. eparate and distinct from the Medical lociety of Hawaii.

A constitution and bylaws were adopted at the initial session and offieers for the year were elected as fol-lows: Col. R. G. Ebert, president; Dr. C. B. Cooper, vice president, and Capt. Neal Wood of the army, secretary. The executive committee will consist of A working program was announced H. Currie of the public health service yesterday by the board of carnival di- and Dr. William Seamon of the navy.

A publications committee of five members also was chosen, to arrange publication in medical magazines from time to time of papers read at the soand thought suggest, but it will remain riety's meetings. Sessions are to be held once a month. The constitution in essentials the framework around held once a month. The constitution which the finished production will be partments of the army, navy, public health service and militia, active, retired or in the reserve, may become members.

> such a success last year. As before, it will be given in the Armory and will open the forenoon.

> If an automobile parade is to be held, it will be assigned to this afternoon If not, the directors have another shot in their locker. It has been very difficult to gauge the sentiment of owners toward a parade, and no definite decision yet has been reached.

In the evening there will be a massed band concert of an hour at Moillill Field, to be followed by a pyrotechnical display, for which admissions will be charged: The eruption of Punchbowl proceeded to select the events best will not be given again this year, but adapted to meet the mandate it had rethe appropriation for fireworks is generous and it is certain that there will be two features at least of the display never before seen in Honolulu. The first thing the board decided was that if the fireworks could not be well done, they should not be done at all. Combining the massed band concert and the pyrotechnics will provide a double at traction.

> Pageant of Old Hawaii Thursday, February 24, Third Day. This day purposely was ballasted light, so that, if sudden readjustments should become necessary, a little slack to take up should be left. The principal event of the day will be an Hawaiian Pageant ossibly preceded by a parade of Island Princesses and Pa-n riders through the streets to the grounds. There was una

nimous agreement within and without

the board that the Hawaiian note should The outlook for the parade is rather dubious. The directors realize its pie

found, to horse them properly. Army and Navy ball in the evening, ea's great humorist, it the Armory. School Children And Scouts

This will be their day, selected pecially impressive nature. by the department of public instruction. half of exhibition work, show them and he learned during his stay there. That their elders how to build a signal tow he was so thoughtful as to plant a moner in a Jiffy, how to set up a field hos-

teresting tricks. In the evening, there will be a musica spectacle Hawniian in character, the details of which will be announced more fully later. "Musical spectacle" may Somuel Kauhane, chairman of the seem a misnomer, but it is difficult to and any other epithet for a performthe men need time for returning to ance addressed both to the eye and the their posts and ridding themselves of car. The same night seems the best their accoutrement, so that they may for the Directors' Ball. It begins late and is purely a society event. On almost soon as the parade is over, the Sone of any other night it would conflict with the American Revolution will conduct other attractions and the objection to rior. patriotic exercises, consisting of patri-stic music, an oration, and the award averse to seeing a ball stretch into Sun

> Saturday, February 26, Last Day. Bicycle and Motorcycle races are proposed for the forenoon and a portion be followed either by a military tourn-ament or a military Wild West Show. Many complications, none of them in superable but none of them yet settle! surround this division of the program vet in detail.

In the evening will be given a gor geoms water pageant, accompanied by a profusion of fireworks. Reserved seats will be sold for those who do not wish to stand, but general admission will be tired all the time, lame in the morning. HONOLULAN ABANDONS

Such is the bare outline of the program. It makes no mention of military troubles, athletics, tennis, baseball, and a walk. Don't ing match, all of which will be provided for, nor of a series of luaus, limited to 400 ebvers each, which it is planned to give in the proposed Hawaii Village, to be creeted in Bishop Square. Three of these mans already have been underwritten, but the full story of the Hawaiian Village is a chapter to itself.

James McClellan, an old and well Wednesday, Feb. 23, Second Day,— suffered a stroke of paralysis some time known resident of Waimen, Kauni, who It has been decided to repeat on this ago, is not recovering as well as well day the hibiseus exhibit which was anticipated.

FIRST REVIEW OF FIRST REGIMENT BY GOVERNOR

Will Turn Out Sunday Next On Palace Square

The first turnout of the First Regi ment, National Guard, since the inaugu ration of General Samuel I, Johnson a adjutant general, will be held next Sunday, when Governor Pinkham will re view the regiment, now recruited to practically full strength.

A notice of the review was issued yesterday by the adjutant general in General Order No. 38, which is:

1. All organizations of the Na tional Guard of Hawaii stationed on the Island of Oahu will be reviewed by the Commander in Chief, the Honorable Lucius E. Pinkham, Governor of the Territory of Hawail, on Sunday, November 28,

2. Troops will be formed in line on the makai side of Merchant street, right of the line resting near the Hawaiian Opera House. The hour of assembly will be 1:30 p. m. The reviewing stand will be located on King street, near Rich-ards. The ride around the line by reviewing officer will be dispens

3. Troops will pass in review in column of plateons of four squads each. Battalion commanders will equalize the platoons in their bat-talions. The line of march will be in front of the Judiciary Building, ace around Kamehameha statue, into King street. Column of platoons will be formed at double time after the column has executed the turn into King street. Lieutenant Colonel William

Riley, 1st Infantry, N. G. H., will command the troops. 5. For the purposes of the ceremony the First Separate Company, Engineers N. G. H., is attached to

the 1st Infantry, N. G. H., and will take such post as may be assigned by the regimental commander The uniform will be field service, with olive drab shirts, and without coat or packs.

By Order of the Governor, SAMUEL I. JOHNSON, Brigadier General, The Adjutant General Chief of Staff.

CLEMENS PLANTED MONKEY-POD TREE

People of Waiohinu, Kau, Hawaii, Deeply Interested In Mark Twain Celebration

Pointing with pride to a monkey-pod tree that was planted by no less a perthresque value and sentimental ante ou than Samuel L. Clemens (Mark yards of en the and stone are infinites) cedents. It is one of those distinctive Twain), the people of Wasohinu, Kan, dous to man. We can dig for a hun Foreclosus Proceedings things that ought not be allowed to die on the i land of Hawaii, look forward dred years and replacement will al increasingly difficult of late years to with a great deal of interest to the celefind able bodied pa-u riders and, once bration on November 30, of the eight cth anniversary of the birth of Ameri-

Mark Twain Day will be observed neally by the schools throughout the Friday, Pebruary 25, Pourth Day .- Territory, but in Waiching, according All visitors to the Territory agree that to advices received by Henry W. Kin the school children of the Islands are mey, superintendent of public instructhe most impressive exhibit it has to tion, the exercises are to be of an es-

It was in 1868 that the village of Soon after the noon recess they will Waiobinu was visited by Samuel L. assemble for choral exercises, dfills. Clemens and old residents there still and dances. Then they turn speciators, remember Mark, his quaint humor and gate from Nicaragon recalled the sur while the boy Scouts, in an how and a droll use of the few native words that key pod tree raised him in the estima: that the lock plan finally adopted too pital, and a whole hagful of other in tion of everyone and that particular tree has been watched in all Hawaii,

The Mark Twain tree, as it has now the front yard of the residence of nature had placed in the center of the cultriv fire specimen of the monkeyid, a species that was much admired harles Spencer, minister of the inte-

CAN'T STAND THE WORK

No matter how hard a man's work is of the afternoon at Kapiolani Park to a sound body and steady nerves. But and with this statement: he can enjoy it if he has a clear head, lame, aching backs and "jumpy" nerves make hard work harder.

Often it's only weak kidneys. The work itself may bring kidney trouble. Work that requires constant and make it impossible to discuss it bending, reaching, stooping or lifting strains the kidneys in time. So will jolting, vibration, dampness, sudden changes of heat and cold, chemical umes, or being always on one's feet. Kidney sufferers complain of being dull and nervous; they have beadach dizzy spells, darting pains and bladder

Dan't give up. Don't let gravel. dropsy or Bright's disease make a start ache Kidney Pilla, the kidney remedy that is praised everywhere.

When Your Back is Lame-Remem or will be mailed on receipt of price by Howell Lada, \$7700, time ninety

NICARAGUAN CANAL HAWAII CLEANING **WITH PAN**AMA OUT

Prediction of French Engineer That Isthmus Never Would Be Success Recalled

THEORY IT WAS AN ARCH

Said 'Slides Will Appal Humanity': Government Has Option On Other Route

earth siides, which has affected tre to be entirely reconstructed. mendously the maritime interests of tonolulu, has revived discussion of a velt definitely committed the United Breakwater Long Delayed States to the Panama waterway.

Justis W. Parker of Philadelphia tells of his acquaintance with Fernaud brenkwater quarry at Waipio, and no Schmerber, a French engineer, who be rock has been shipped in since the big lived that Panama never would be a good canal. Schmerber was living in ed that no rock can be shipped from Cash called in Jack Lucas the mainland when the location of the there until the weather moderates so anal was under consideration. He had that the little harbor back of the breakbeen with the de Lesseps engineers, and water at that point can be dredged out. assault, "he said. "Cash remained in the arker describes him as an engineer of minence, tutor of John Hays Hamschool graduate, authority on air com- awarded to Lord & Young. E. J. Lord pressor machines, thoroughly familiar has been on the ground; sublet the rock with all parts of the world. Landslides Were Predicted

"Such an equipment was his when the American Government took up the canal question. Mr. Roosevelt and Mr. to build a trestle out into the harbor Taft heard of him and he was invited near Hackfeld's lumber yard and estab-to Washington," said Mr. Parker, in lish a suction dredge at that point with at the sea level or lock systems. Mr. Schmerber ugain went to Panama, and came home and wrote up a report. It was not especially long, but very point-Mr. Schmerber made use of the manity.' He told them a canal could not be built across Panama and made to stay; that if attempted at sea level it would be an utter fallure, for the bot tom would continually rise; if a lock canal, that the slides even then would

be perpetual. Panama Is A Keystone

"I have talked with Mr. Schmerber, Panama is a keystone between North and South America, and is the result of natural causes, one of which May Hang One Murderer replacement, and the very nature of the rock and earth formations there prove this, for they are broken layers of earth and stone, crushed, so to speak, and mal but they are a beolutely stupen hanged therefor.

finally will abandon l'anama and that given to the parties in interest to an general Goethals is coming to the same opinion.

Nicaraguan Recalls Plans

At the recent session of the International Engineering Congress the dear vey of the Nienragua location made MEN FROM MISSOURI \$120,000,000 to dig the ditch. He said Panama was that made in 1888 for the Nicaragon canal by engineers of the American company owning a concresion ome to be known in Kau, stands in from the Nicaraguan government; that country the two lakes and their navig board of supervisors of the county of able outlet, covering 10,000 square miles, Hawaii, and is of sturdy growth, a par- 110 feet above the sen, leaving only about fifteen miles to be exervated, ou firm ground, without "any bottomless by the famous writer when he visited mass of clay." The Nicaragua route, Waiohinu as the guest of the late he said, was son miles north of Pannna on the Pacific side and 300 on the Atlantic side, shortening the time be tween San Francisco and New York by two days that via Panama, even with a longer time in the Canal.

Nicaraguan Route Available

to Nicaragua to build the Canal there,

"As things stand at present and for the outlook of the development of the commerce of the world, it is sensible to believe that the Nicaragua canal proposition has yet some future. government of the United States has secured from the government of Nica ragua an option to construct that caust whenever it is deemed convenient,

KIHEI ROAD CONTRACT

According to advices from Maui, William Cullen of Honolulu, who was Help the kidneys. Use Donn's Back low bidder on the new Kibel road, Maui has thrown up his contract and will forfelt his guarantee rather than go through with the work at a greater ber the Name." Don't simply ask for loss. It is said that he bid on the work a kidney remedy-ask distinctly for without having first gone over the Doan's Backache Kidney Pills and take ground. His bid was \$4350, time seven no other, Doan's Backache Kidney Pills ty days; while those familiar with the are sold by all druggists and store work in the district had bid as follows: keepers at 50e, a box (six boxes \$2.50), J. A. Aheong, \$6871, time 120 days, and the Hollister Drug Co., or Beason, It is probable that the specifications in the appropriation of \$5000.

Roads Opened—Reclamation Work Makes Another Step

(Mail Special to The Advertiser) HILO, November 19. Hawaii has HILO, November 19.—Hawaii has of late, said Judge Ashford Saturday been enjoying a week of comparatively from the bench, as he sentenced Sylves fair weather after the deluge of last ter Cuffen and Charles Cash to three week, with only showers enough to months each in the city jail and to pay AFTER THAT PAROLE BETWEEN TWO CONTINENTS keep the dust cleaned off the atmos-

The county authorities have cleared the slides and washouts north of Hilo; behavior on the part of the defendants but in Kan travel is still blocked by the loss of several bridges, so that through travelers have to walk across a gap from one automobile to another. Temporary connection will be made in tire," the judge concluded. Tieing up of the Panama Canal by a few days but the bridges will have

The Hilo railroad has, by strenuous chort, removed the sines and attent up the washouts on its line and resumed cicaraguan canal, which censed to be regular schedule through service on the considered at all when President Roose Hamakua line this Friday morning.

Heavy weather on the Hamakua coast has delayed reconstruction at the Wilcott's Pishy Stand storm of three weeks ago. It is report-

Project has made one further step in work in connection with the drainage channel to C. H. Wills, the local contractor, and made preliminary arrangements for going ahead with the work. Mr. Lord announced that he proposed "Discussion was then rife on which to pump sand into the swamp. Auto and Gasoline

The schooner Anna Johnson arrived last night from the Coast with a cargo consisting chiefly of gasoline. This relieves what had amounted almost to a words, 'the landslides will appall hu gasoline famine, the supply having run so low that for a few days the local garages had refused to sell to outsiders.

The increase in number of automobiles on the Island of Hawaii, especially about Hilo shows no let up. The Matweek and the registered number intos is in the neighborhood of 900 have talked with Mr. Schmerber, cabs operating in and about Hilo and tomobile from the Schuman garage. He knew him well, and his theory one can ride anywhere within the for ten cents.

may be the earth's inclination to the! The jury sitting at Kailua has con-plane of the ecliptic. It cannot be dis-victed the Filipino charged with the Cullen was so excited or so drunk, turbed without almost an immediate marker of the school girl at Kahala a whichever is still a moot question, that are that the sentence may be carried down. always ready to move. Geologically, when compared to the earth's size, these movements of a million or so murderers during the past two years on which the grand jury is now investi the young, immature man that Hoogs

ways occur in bulk sufficient to para tion of the Hilo railroad affairs has lyze humanity, yet geologically inconsequential.

The second step in the reorganism tion of the Hilo railroad affairs has been taken by the fifing of a bill for the foreclosure of the 1901 mortgage.

The proceedings taken a month ago Mr. Schmerber died seven or eight. The proceedings taken a month ago years ago, but Mr. Parker says he re were for the foreclosure of the 1909. alls the prophecy that a canal never mortgage. The two foreclosures will be could be built successfully at Panama pre ably emerged into one. The bill and that he believes that the country was filed yesterday and twenty days -wer. There is no expectation of any opposition to the bill and prompt as tion will probably be taken upon the Brule Who Killed Young Girl of

SEEKING PIRATE GOLD

They are Lured To Mystic Island Circuit Judge Matthewman pronounced By Treasure

east of Australia, a South Sea island saulted Hattie Kunane in daylight, pearl Eshing expedition from Spring first driving her in a canefield and as field, Missouri, is in San Francisco to sanlting her. Her mutilated body, our hase a ship for the ocean voyage, was found inte that night. avording to advices from the latter!

He closed by expressing the hope ing of an unknown island of a treasure that some of the curineers would come of san unknown is English sovereigns, heavy a bloody clothing. He also be a source of the curineers would come of the curineers would be come of the curineers would come of the curineers would be come of the curineers would come of the curineers would be come of

langer, Maine, who was the only sur-were under suspicion ligan of Springfield, president of the around, events in the Belineaus case a indicial or any other position.

Missouri Wholesale Grocerymen's As bave moved rapidly, and he now awaits the believe that the moral up the expedition.

Springfield, and F. P. Blair, clerk at him. the Muchibach Hotel, Kansas City. This is not Skipper Brown's first ex-

edition in quest of the fabrious buried the farfamed Cocos Island, a desolate isle lying 500 miles off the coast of tegular panel having been exhausted. Costa Rica. In 1909 he was in Spring field on his way to find the pot of gold at the rainbow's end, which for half a century has fured adventurers over the seas.

Like the fascinating tale of pirates ove-priceless jewels and beight doubshy the ''pieces o'eight.'

CASH AND CULLEN BEING TALKED NOW UP AFTER STORM PROPERLY TREATED SERVE TEN YEARS

Railroad Service Resumed and Precious Pair Get Three Months Each On the Reef With Their Friend Joe

> "There have been too many invasions of private homes by police officers of late, said Judge Ashford Saturday the costs of court in one case of assault and battery and in the other to suspension of sentence for thirteen months. The latter will insure good for at least ten months after the jail doors open outward to them, thought the judge.

"If I inflict a money five in these cases it would be a travesty of jus-

Leon M. Straus appeared for the men both of whom had pleaded guilty two weeks before to having committed an assault and battery on Mr. and Mrs Hans P. Riedel at the home of the couple. He claimed that if he were at lowed to put witnesses on the stand he would show that no assault had been committed by the defendants.

Robert C. Wilcott took the stand. He was at the Riedel home the night Cullen, who was then a traffic officer, and rowed": \$622 automobile, Wilcott claimed, "Oh, no, there had been on The Waiolama Swamp Reclamation machine outside, while Cullen asked Mrs. Riedel, who answered the call, if lible to parole under the law," her husband was at home. He then Riedel was in the way and Sylvester for Maracallino. In the meantime a tried to pass into the house, but Mrs. gently, oh, so gently, shoved her to one side," said Wilcott.

Cuffen gave about the same kind of yarn and City Attorney Brown asked am why, then, had he gone into court and pleaded guilty to the charge. Cullen thought he might have been excited at the time, "that's why," he said. He had some booze in him when he

visited the Riedels, he claimed.

Mrs. Riedel, on the stand, told the story, substantially as it was printed in The Advertiser following the assault by the police officer and his shady pal on the couple at the latter's home Then came the sentence of the two

Faces Another Charge Cash was arraigned before Judge by the grand jury
Ashford Saturday on the charge of first. On the case of having embezzled sonia brought seventeen new ones last Ashford Saturday on the charge of firstdegree largeny. His plea was reserved until next Wednesday. radius of a mile of the center of town called on the Riedels. This was on the night of October 30, the same night of mer resident of Honolulu, now living in

month ago, on circumstantial evidence he dropped his policemen's badge in which seemed conclusive, and the detailed bottom of the ear. The badge was fendant has been sentenced to death, found there, and, working on this clue. Under these circumstances the chances the authorities easily ran the two men

GOES TO GALLOWS

Kohala Sentenced To Death By Kona Judge

HIIO, Navember 20,-Jose Bell neuva, the Edipino whose nurder of a sixteen year old Hawaiian girl in he Konhla district several weeks ago roused the entire community to a high pitch of exxcitement, has been con leted at Kailua and sentenced to hang. sentence on him this week

Several murders have occurred in the Big Island in the last few months, but Bound for an island off the west Belinenva's crime is regarded as the most atrocious of them all: He as stashed in more than a dozen places,

No definite chie to the identity of The seekers anticipate the uncover- days, but finally a Japanese woman scopmonoo in English sovereigns, neuva's bloody clothing. He already haried there in 1850 by pirates. had been placed under arrest, together. The leader is Capt. James Brown, of with a number of other Filipinos who Hascened by the public sentiment

sociation, is one of the heaviest inter-ested in the company, and other in on which he will pay the extreme penfluential men of Kansas City and alty. He is to be removed to Honolulu Springfield contributed toward financ shortly, where execution will take place always that taken by the newspapers. Molina, a Spaniard, who shot and The party is composed of R. C. Har billed a night watchman several months din and A. T. Swanson, grocer and him ago at Nanlehn, is still at large, though ago at Nanlehu, is still at large, though a tman respectively of Mountain Grove, the police b lieve he is still in the id-Missouri; Fred Ellis, insurance agent, and, it is thought friends are shielding

Goto, a Inpanese, who in a passion of jealousy telled his nicture tride several weeks ago, is awaiting trial. The hear treasure. On the first trip he went to line has been delayed until a special FIRST JAPANESE BORN venire of jurymen can be selected, the ----

WHY IT SELLS.

core priceless jewels and hight double it stops the cough by curing the cold, of his depth. He was said to have been the story has been the same, and does it speedily and effectually, the first lepenese turn in the Hawaiian Smith & Co., agents for the Hawaiian will be changed to bring the work with The fortune hunters returned wiser and For sale by all dealers. Benson, Smitt Islands. He was educated at the Royal & Co., Ltd., agents for Hawaii.

MARCALLINO MAY IN PENITENTIARY

Indeterminate Sentence of Two Years Simply Fixes Minimum Term In Prison

COULD BE GRANTED

Punishment Stands At Maximu.n Unless This Is Done Or Governor Pardons

Considerable discussion has arisen as to the length of the sentence meted out to John Marcaffino in the circuit court Saturday, and to make the mafter clear The Advertiser is advised by Judge Ashford as follows:

"The maximum penalty fixed by law in each of these four cases is ten years. The indeterminate sentence law as construcd by the courts is in effect a sen tence for the maximum term allowed by

"Consequently, whenever a man is sentenced under the indeterminate sentence the law itself fixes his sentence at the maximum. All that the trial judge can do is to same a period dur ing which the prisoner will not be elig

After two years are up, the board of pardon may be given by the Governor. Until such time, however, as there is action by either the Governor or the prison inspectors the sentence stand at the maximum, less credits received for good behavior. The sentences running concurrently means that time the four sentences starts on the same day and that the convicted man will not have to serve ten years on

each sentence.

Proseccution Urges Prison At his first hearing two weeks ago in Judge Ashford's court, Marcallino pleaded guilty to one charge of embezzlement and Saturday before sentenced pleaded guilty to the other three charges of the same nature brought against him

forty eight shares of the Oahu Railroad Cash, the grand and Land Company's stock he was sentenced to not less than two years torney of Ars. Julia Bishop Egan, a forthe assault on the couple of their home. San Beandre, California, and the stock

embezzled was her property. City Attorney Brown asked the court to impose a substantial prison sentence on the defendant. In fact, Mr. Brown's address on the subject was the longest he has made in court in many years He paralleled the cases of two former

this island and not a single person has gating, and Wilcott has, up until now, was," Mr. Brown told the court, "nor hanged therefor. of age that Louis Abrams was, when, spon their pleas of guilty they were sentenced by th's court to pay lines of \$1000 each. Nor has this defendant, as I am informed and believe, made good single cent of the property embezzled; whereas, in the cases of Hoogs and Abrana, complete restitution was

The question of restitution might not enter into the question, however, thought the city attorney.

Eyes Were Wide Open

"This defendant knew just as well as your honor knows, as I know and as his counsel knows, that the maximum term of imprisonment for embezzlement of \$1000 or more was ten years at hard labor. The embezziements of the Egnu roperty by this defendant covered period of several years. They were a ries of embezzlements committed by this defendant with his eyes wide open by so doing." Mr. brown said, in closing, that to do

otherwise than pass sentence of imthis kind of violations of the law. Judge Ashford said that in regard to past criticism of the work of the beach, in the line of passing sentences on de feminats, that, on the whole it had been kindly.

age and vicious criticisms on the sen tences of Hoogs and Abrams, but I will say that if I had to do it again I would repeat the sentences." lie felt, nevertheless, that the sen

tences in those cases did not meet the moral sense of the community. moral sense, thought Judge Ashford. was something that should be recognized and respected by any person in a indicial or any other position.

"I believe that the moral sense of this community is right," the judge west on, "but that its stand is not "I differ between this case and the others. In one the defendant was on the down grade of life-an old man. In the other the defendant was young, younger in intellectual develop ment than yours," he told Marcailino. "You, Marcallino, have neither of the excuses that these men had."

IN HAWAII IS DEAD

Police Officer O. Yotaro who has been member of the Hilo police force for Chamberlan's Cough Remody is the many years, died last week at his home largest selling cough medicine in the in Hilo. Yotaro was well known in world today, because it does exactly Honolulu as well as in Hilo and had what a ough remedy is supposed to do, many friends who will be sorry to hear